1951-1953. **File No.** 2748/48

B CLASS

P.W DEPARTMENT

£ BRANCH

Subject:— Seniority

Fixation of Ex. State Officers

Absorbed in the P.W.D. vis a vis

Pt. Ex. Engrs. in the B.S.E Class I.

B [K] - 1953

V

File No. 2748/48 - E 6r

G.R., G.D., No. 2408, dated 22-6-22.]

Correspondence

DOCKET SHEET

Subject :—

File No. 2748/48

P. W **DEPT.**

E **BRANCH.**

References :—

Date.	To whom sent.	Notes and instructions.

Statement I? A.

Serial No.	Name of Officer.	Pay as on 1-1-50	Date of birth.	Qualifications.	Year of passing the B. E. Examination.	Class obtained in the examination	Marks obtained in the examination.	Rank in the examination, in the class obtained.	Total period of service as on 1-1-50	Period of service in the gazetted post as on 1-1-50	Date of appointment as Executive Eng. or in equivalent post.	Date of appt. as S.E.
1	2	3 Rs.P.M.	4	5	6	7	8	9	10 Y.M.	11 Y.M.	12	13
1.	Shri N. C. Balsara.	875	1-11-1898	B. E., M.I.E.(Ind.)	1922 (March)	II	458	1	25-6	25-6	2-4-1944	22-1-48.
2.	Shri D. A. Gadkari.	830	27-3-1902	B. E., A. M. Inst. C. E.(Lond.), M.I.E (India)	1924 (March)	II	437	1	24-11	24-11	24-1-1944	1-6-48.
3.	Shri A. G. Naik,	830	10-4-1900	B. E.	1924 (March)	II	433	3	24-11	24-11	18-1-1944	29-4-49
4.	Shri A. G. Maydeo	830	20-12-1903	B.E.,A.M.I. E. (India)	1925 (March)	II	435	2	24-00	24-00	11-2-44	27-4-49
5.	Shri N. D. Daftary.	695	14-5-1907	B. E.	1929 (March)	I	489	1	19-7	19-7	deputation.	20-10-49.
6.	Shri C. R. Desai.	695	15-5-1904	B. E.	1926 (March)	II	355	42	23-4	20-5	-do-	-do-
7.	Shri V. B. Manerikar.	650	27-10-1909	B.E.	1930	I	449	2	18-9	18-9	23-3-1944	-DO-
8.	Shri V. B. Joglekar.	650	24-12-1907	B. E.	1930 (March)	II	437	1	19-00	19-00	22-8-1944	
9.	Shri A. D.Telang.	875	3-12-1898	B. A, B. E.	1929 (March)	I	472	3	26-2	26-2	26-6-1944.	
10	Shri L. W. Kale.	830	9-11-1904	B. E.	1926(March)	II	460	1	22-9	22-9	31-7-1944	
11.	Shri N. C. Patel.	650	6-8-1908	B.E.,A.M.I.E. (Ind.)	1932(March)	I	476	1	16-11	16-11	24-1-1945	
12.	Shri G. G. Dhanak.	650	1-3-1909	B. E.,M.I.E., M.Am.Soc.C.E.	1932(March)	I	474	2	16-11	16-11	11-3-1945	
13.	Shri K. M. Kantawala.	650	26-8-1910	B.E. A.M.I.E., (Ind.), M.Inst. H.E.(Lond).,								

1	2	3	4	5	6	7	8	9	10	11	12	13
13.				Assoc. M.A.S.C.E.	1923 (March)	I	460	1	16-00	16-00	10-3-1945.	
14.	Shri K.M.Joshi.	650	13-8-1909	B.SC., B.E.	1933 (March)	I	450	2	16-00	16-00	30-4-45.	
15.	Shri G. V. Sathe.	875	23-10-1898	B. Sc, B.E. (Lond)	1923 (March)	I	475	2	26-01	26-01	2-5-44.	
16.	Shri G.N. Godse.	695	5-5-1904	B.E.	1926 (March)	II	428	8	20-8	20-8	19-1-1946.	
17.	Shri K. G. Bhate.	695	11-9-1906	B.E.A.M.Am. Soc. C.E.,A.M. I.E.(Ind), M.H.R. S.(U.S.A.), M.A.C. 9 (U.S.A)	1929 (March)	I	487	2	19-6	19-6	18-1-1947.	
18.	Shri B. K. Choksi.	620	26-6-1908	B.E., A.M.I.E. (India).	1931	I	475	1	17-8	17-8	15-8-1946.	

SAS

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Statement I-B.

Serial Number	Name of Officer.	Pays on 1-1-50 in the prescribed scale for Ex.-Engrs.	Date of birth.	Qualifications.	Year of passing the B.E. examination.	Class obtained in the examination.	Marks obtained in the examination.	Rank in the examination	Total period of service on 1-1-50	period of service in the gazetted post as on 1-1-50	Date of appointment as Executive Engineers or in equivalent post.	Remarks
		Rs. P.M.							Y.M.	Y.M.		
	Baroda State											
1.	Shri G. K. Patil	1100	16-8-1903	B.A.(Hons) B.E.(Bom) B.Sc.(Hons) Engrg.(Lond) M.I.E.(India).	1930 (March)	II	420	8	18-9	18-9	Ag. 18-4-40	
2-	Shri D.N.Chewan	740	20-10-1903	B.E.A.M.I. E.(India)	1929 (March)	II	350	43(a)	19-10	19-10	Pt.6-1-1943	
3.	Shri N. J. Dholakia.	650	15-11-1898	B.E.	1923(Oct)	Pass	-	-	22-11	22-9	Offg.4-12-43	
4.	Shri P. V. Ganpule.	650	4-12-1904	B.E.,AMI. E.Struct.E	1928(Oct)	II	408	3	20-11	20-11	Ag. 28-3-43	
5.	Shri J.C.Otia.	650	2-2-1906	B.E., A.M. I.E.(India)	1928	II	392	15	21-3	21-3	Ag. 7-8-45.	
	Kolhapur State											
6.	Shri A.B. Haval.	500	8-10-1903	B.E.	1926(March)	Pass	--	-	23-7	21-11	1-8-48 Ass State	
	Sangli State											
7.	Shri V. H. Kelkar.	530	21-6-1908	B.E.,A.M. I.E. (Ind) M.N.San.I (Lond.)	1931 (March)	II	399	17	9-6	9-6	Offg.14-9-4 do	

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Statement II

Serial No.	Names of Officers in order of seniority proposed to be fixed	Year of passing the B.E. Examanination.	Class obtained in the Examination	Date from which working as Ex. Engrs.
1.	Shri N.C. Bulsara	1922	II	2-4-44.
2.	Shri D. A. Gadkari	1824	II	24-1-1944.
3.	Shri A. G. Naik	1924	II	18-1-1944.
4.	Shri A. G. Maydeo	1925	II	11-2-1944.
5.	Shri N. D. Daftary	1929	I	on deputation.
6.	Shri C. R. Desai	1926	II	on deputation.
7.	Shri V. B. Manerikar	1930	I	23-3-1944.
8.	Shri K. V. Joglekar	1930	II	22-8-1944.
9	Shri A. D. Telang	1923	I	26-6-1944.
10	Shri L. W. Kale	1926	II	31-7-1944.
11.	Shri G. K. Patil	1930	II	18-4-1940.
12.	Shri Dg N. Chawan	1929	II	6-1-1943.
13.	Shri N. J. Dholakia	1923	pass	4-12-1943.
14.	Shri N. C. Patel	1932	I	24-1-1945.
15.	Shri G. C. Danak	1932	I	11-3-1945.
16.	Shri K. M. Kantawala	1933	I	9-3-1945.
17.	Shri P. V. Ganpule	1928	II	28-3-1945.
18.	Shri K. M. Joshi	1933	I	30-4-1945.
19.	Shri G. V. Sathe	1923	I	2-5-1944.
20.	Shri J. C. Otia	1928	II	7-8-45.
21.	Shri G. N. Gode	1926	II	19-1-1946.
22.	Shri K. G. Bhate	1929.	I	18-1-1947.
23.	Shri B. K. Chokai	1931	I	15-8-1946.
24.	Shri V. H. Kelkar	1931	II	14-9-1944 officiatin State Engr (Sangli).
25.	Shri R.B. Haval	1926	Pass	1-8-1948 te Engir Kolhap

2748/48
P. W. Deptt.

E. B. (I)

The question of converting the temporary Dns. and Sub- Dns. created due to the merger of the States and also due to the general increase in the normal activities of this Department into permanent ones has been taken up separately. After the decision thereon is reached the question of confirmation of the ex-State officer absorbed in this Department will be considered. In the mfantime the question of fixation of seniority of the ex- State officers who were holding substantive permanent appointment in the States vis a vis the permanent officers of this Department is proposed to be taken up. To start with the question of seniority of the ex-State Officers who were confirmed in the posts of Ex. Engrs. or equivalent posts in the merged States vise vis permanent Ex. Engrs. in the B. S. S., Class I, is dealt with in the B. S. R., class I, is dealt with in the following paras.

2. A statements containing the names of the permanent Ex. Engrs. in the B. S. R., Class I, and the ex-State Officers who were confirmed in the posts of Ex. Engrs. or equivalent posts in the merged States, their dates of birth, qualifications, past service, etc., has been prepared and put up within. The ex-State Officers who mentioned in the statement I-B are at present absorbed as temporary Ex. Engrs. in the B. S. E., Class I. In accordance with the orders contained in paragraph 6 of G. R., P. & O. D., No. 2735/46-II, dated the 20-5-1949, the seniority of the ex-State servants absorbed in Government service vis a vis Government servants is to be fixed on the basis of the initial pay (excluding the personal pay admissible under the proviso to Sub-Rule 1 of Rule 3 contained in the said G. R.). A State Servant is to rank below the most Junior Government servant drawing pay equal to or higher than the formers intial pay It may be stated that according to this procedure some

some of the State officers cannot, it appears, be considered as equivalent to that of an Ex. Engr. in the B. S. E., Class I. The dates of their appointments as State Engineers are there fore taken into account for fixing their seniority.

Shri Choksi and Shri Kelkar passed the B. E. examination in the year 1931. The former stood in the first Class and the latter in the Second Class. For the purpose of seniority Shri Kelkar is, therefore, placed below Shri Choksi although the former was appointed as State Engineer earlier than the latter was promoted as Ex. Engineer.

3. In the circumstances explained above, the seniority of the officers in question may if apporved, be fixed as shown in the statement II. The P. &. S. D. may kx see the papers for remarks, if any.

An attempt has been made to evolue as reasonable formula as possible.

Id/- 31-3-51

D. S
C. E.
Secy.

In case of P. W. D. officers who belong to a technical service the date of acquiring the professinial qualification (B. E. degree). and class obtained in the B. E. examination all ~~mark~~ matereal factors should favour the seniority of ex. state officers vis-a-vis Bombayofficers, return rather "initial pay"

In..

officers referred to above will rank much higher in the seniority over the permanent Ex. Engrs. in the B. S. E., Class I, although the latter posses better qualifications, have put in more service and are senior in age also. For example Shri G. K. Patil (Serial 1 in statement I-B) who is ex-Baroda State Officer, was a contemporary of Shri K. V. Joglekar, (Serial No. 8 in statement I-A) in the Engineering College, Poona. Both of them passed the B. E.(Civil) Examination in the year 1930 in second Class but Shri Patil stood much below Shri Joglekar. Shri Joglekar secured the guaranteed appointment of Asstt. Engr. in the B. S. E. (Now called Dy. Engr. in the B. S. E., Class II) due to the high rank secured by him in the B. E. Examination. Had Shri Patil started his career in the Bombay P. W. D., he would not have been appointed as Asstt. Engr. (Dy. Engr. in the B. S. E., Class II) but in ordinary course he would have been appointed as Overseer or Surveyor in the Subordinate Service of Engineers and would have become Asstt. Engr. after 10-15 years. If his seniority as Ex. Engr. is fixed on the basis of initial pay (His initial pay on absorption as Ex. Engr. has been worked out by the A. G. at Rs. 1,055/- P. M.) he would rank not only above. Shri Joglekar but will rank above all the permanent Ex. Engrs. in the B. S. E., Class I, i. e., above Shri N. C. B Bulsara. It will accordingly be seen that, if the principle mentioned at 'A' overleaf is followed for fixing the seniority of the ex-State Officers referred to above <u>vis-a-vis</u> permanent Ex. Engrs. in the B. S. E., Class I, it would involve great injustice to the latter officers and would cause much discontent and heart-burning amongst them as it would amount to their supersession. This principle cannot, therefore, be equitably followed in this case. In the circumstances it appears that it would be better to determine first the seniority of Shri Patil, who is the senior most ex-State Officer, amongst the Ex. Engr. in the B. S. E.

Class.....

Class I, and then to fix the seniority inter se of the other ex-State Officers and the remaining Ex. Engrs. in the B. S. E., Class I, who would be placed below Shri Patil, according to the dates of their appointments as Ex. Engrs. or in equivalent posts in the merged States, and their existing seniority in their respective cadres in the case of the B. S. E., Class I, and the ex-Baroda State Officers. In view of 'B' above, Shri Patil would rank below Shri Jogleker. He may also be placed below Shri A. D. Telang and Shri L. W. Kale who have put in more service than he and had secured guaranteed appointments by virtue of their securing high rank in the examinations held in 1923 and 1926, respectively. Accordingly the seniority of the ex-State officers vis-a-vis Ex. Engrs. in the B. S. E. (I) would be as shown in Statement II

Shri P. V. Ganpule is working as Ex. Engr. in the P. H. Circle. Although it is proposed to fix his seniority in the B. S. E., Class I, he will be confirmed in the General Provincial Service and his seniority in that service will be fixed later.

Shri A. B. Haval, ex-Kolhapur State Officer, and Shri V. H. Kelkar, ex-Sangli State Officer, were appointed a State Engrs. with effect from the 1-8-1948 and the 14-9-1944, respectively. Prior to their appointment as State Engineers they were appointed as Asstt. Engrs. and Ex. Engrs. in their States as shown below:-

Name	Designation of the post held	Period	Scale of pay Rs.
Shri A.B. Haval	Asstt. Engr.	20-6-26 to 6-2-28	100 P.M. fixed
	D.L.B.Engr. & Ex.Engr.	7/2/28 to 31-7-47	250-15-440
Shri V.H. Kalkar	Asstt.Engr.	20/6/40 to 13/9/44	125-250

These appointments of Shri Haval and Shri Kelkar

Cannot-

cannot, it appears, be considered as equivalent to that of an Ex. Engr. in the B. S. E., Class I. The dates of their appointments as State Engineers are therefore taken into account for fixing their seniority.

Shri Choksi and Shri Kelkar passed the B. E. examination in the year 1931. The former stood in the first Class and the latter in the Second Class. For the purpose of seniority Shri Kelkar is, therefore, placed below Shri Choksi although the former was appointed as State Engineer earlier than the latter was promoted as Executive Engineer.

3. In the circumstances explained above, the seniority of the officers in question may if approved, be fixed as shown in the Statements II. The P. & S. D. may see the papers for remarks if any.

Issued.
31-3-51.

An attempt has been made to evlove as reasonable to formula as possible.

D. S.
C. E.
Secy.

Id/- 3-3-51.

Id/-
3-9-51.

In case of P. W. D. officers who belong to a technical service, the date of acquiring the professional qualification (B. E. degree) and class obtained in the B. E. exam. all material factors that should, inter-alia, favour the seniority of ex-State officers vis-a-vis Bombay officers, return them "initial pay"

Increasing

In doing so, the seniority interse of the officers from the same merged state (Ex. Baroda) would not be disturbed.

This departure from the rules should be authorized, in consultation with F. & S. D. under the note to rule 7 of the rule in G. R. P. & S. D. d. 20-5-49. It is justified on the ground that by absorption in Bombay Govt. Service through a merged state, the absorbed officer should not attain higher seniority than that attainable if all his service has been under Bombay Govt. a principle which has been applied to pay also, as rule 3 (1), proviso (ii).

The seniority has been fixed temporary, on the above line, as in Statement II which is a combination of Statements I. A. & I. B. and these papers may now be reffered to P. & S. D.

both on the question of rules and the actual seniority (Statement II) list, perhaps Shri Kelkar & Haval (Ø. N/) 7/8 list I-B) may rank lower than an officer confirmed hereafter as Ex. Engr. of Bombay cadre, next to Shri Chokai (Ø. N. 18 list Govr. 1-A)

Id/-
4-4-51.

Confdl.
Urgent

U. O. r. to the P. & S. D. dated 4-4-51.

both acquired the professional qualification (i. e. B. E. Degree in the year 1930 but Shri Patil stood much below Shri Joglekar, and had Shri Patil been in the Bombay Government service from the beginning he would have ranked below Shri Joglekar. For these reasons explained above, P. W. D. has expressed the opinion that the general principle to fix the seniority on the basis of initial pay cannot equitably be followed in this case.

2. The Secy. P. W. D. has suggested that in the case P. W. D. officers who belong to a technical service, the date of acquiring the professional qualifications (i. e., B. E. degree) and class obtained in the B. E. Exam. should inter-alia govern the seniority of State officers. In other words, he has opined that State officers should be given such seniority as they would have attained had they been in the Bombay Government service from the beginning and they should not be allowed to be senior to permanent Govt. Servants only because they are ex-State servants and their initial pays fixed under G. R. No. 2735/46-II, dated 20/5/49 is higher than the substantive pay of the Government servants. If the criterion mentioned at 'A' above is accepted, the seniority of the P. W. D. officers will be as shown in the Statement II at page 5 ante.

4. It is for consideration whether departure should be made from the general principle laid down in rule 6 of the Rules in G. R. No. 2735/46-II, dated 20/5/49 and seniority of the P. W. D. officers should be fixed on the basis of the criterion laid down by the Secy. P. W. D. It may be pointed out here that so far as this Department is aware no depature has yet been made from the general orders and seniority in case of officers belonging to various departments has...

Political and Services Department.

"F" Branch.

The question raised in P. W. D. papers under submission is regarding fixation of seniority of ex-State Servants absorbed in the B. S. E. Class I vis-a-vis permanent Government servants working in that cadre. Government has laid down general rules for fixation of pay and seniority of absorbed State Servants-vide G. R., P. & S. D. No 2735/46-II, dated 20/5/49. Rule 6 of these Rules lays down that the seniority of absorbed State Servants vis-a-vis Government servants should be fixed on the basis of intial pay of the State Servants fixed under rules 3 and 4 these Rules. In ordinary course, therefore, the seniority of the officers of the former States absorbed in the B. S. E. Class I vis-a-vis Government Servants working in that cadre is required to be fixed on the basis of intial pay of these officers as provided in rule 6 referred to above. It is not known what would be the relative seniority of the 25 P. W. D. officers (which includes State officers) mentioned in Statement II if it is fixed on the basis of general orders issued by Government. It however appears that if seniority is fixed on the basis of intial pay as laid down in the general orders in G. R. , of 20/5/49. Shri G. K. Patil (former Baroda State servant -S. No. 1 in Statement I-B at page 5 ante) will rank above all parmanent Ex. Engrs. in the B. S. E. Class I. P. W. D. has stated that if seniority is fixed in accordance with the general orders, it would involve great injustice to the permanent Government officers and would cause much discontent and heat-burning amongst the P. W. D. has pointed out in this respect that Shri G. K. Patil was contemporary of Shri K. V. Joglekar in the Engineering College, Poona, and both ...

has been fixed in accordance with the general orders. It appears that reasons which have been put forth after making a departure from the general order in this case may also, more or less, hold good in the case of other Departments, such as Medical etc., If therefore it is considered that case of P. W. D. officers affts should be treated on a different footing, this will have to be done as a special case.
As however the question raised is of policy the papers are submitted for orders.

5. As regards 'X' of the Secy., P. W. D.'s note at page ante, it may be stated that the question whether Government servants who are officiating in their cadres and who are officiating in their cadres and who are not confirmed merely because there are no substantive vacancies should or should not rank below permanent ex-State servants has been already considered and it hasx been ruled on an A. & F. D. case that ex-State servants should rank below those officers (including officiating officers) whose pay is equal to or higher than their own and who are not likely to revert. (It is being considered separately whether this ruling should be embodied in rule 6 of the Rules laid dowing XN G. R., P. & S. D. No. 2735/46-II dated 20/5/49). Accordingly, officiating Ex-Engr. whose pay is equal to or higher than the 'intial pay' of Shri Kelkar and Shri Koval and who are not likely to revert will rank above these two State officers.

Id/-
28-4-51.

I do not think it is feasible to alter the general principles adopted by Govt. for fixing seniority of ex-State servants vis-a-vis Bombay Govt. servants on the ground that the principles affect adversely the rights and interests of a few State Servants of particular service. When as a

a result of political changes of great magnitude, vast areas of land under different administrations are merged in one State and servants of these different administrations are absorbed in corresponding cadres of different services of this State, it is not possible to frame any set of principles for absorption of these servants which will give full satisfaction to all servants whether they belong to former State administrations or this State. The ground advanced in this case for altering the principles adopted by Govt. is that if particular servants of former Baroda State had joined the Bombay State Service, instead of joining the Baroda state service on the basis of their University, qualifications &c They would have been junior to certain Bombay State servants, whereas under the rules for absorption as framed they got seniority over them. If University qualification is accepted as a basis for fixing seniority, it will create great difficulty and more embarressing situation in respect of servants of other services. Some of the former Baroda State servants in the P. D. have got very high University and foreign qualifications compared to some of the Bombay State servants and yet while these ex-Baroda State servants have got ~~very high University and foreign qualifications~~ been selected by the emergency Recruitment Board for the Indian Administrative service, some belonging to Bombay Civil Service who have no university qualifications have been selected for the Indian Service. In this selection, it has happened that an ex-Baroda State service officer junior in service to others of the Baroda Civil Service and with no higher foreign or University qualifications has been selected for the I. A. S. whereas the senior officers of the same service have been left out. It is therefore not possible to accept University qualifications as the basis for fixing seniority of officers of former State servants as proposed by P. W. D. It will create more complications than have been

have been created by the rules framed by Govt. The scales of pay of ex-Indian State services were much lower than those of corresponding services of the Bombay State and adoption of intial pay on absorption as the basis for fixing seniority is on the whole more advantageous to the Bombay State servants than the former State Servants. These principles cannot be altered to meet individual cases of hardship of any particular service.

Id/-
3-7-49. 30/4

C.O.

It is likely that there may be a few similar cases in other Departments where the application of the Rules for the fixation of seniority of state servants contained in G. R. No. 2735/46, II dated the ~~letter is~~ 20th May 1949 gives rise to an apparent anomaly. It is is therefore desirable to discuss this question in the next meeting of the Secretaries.

Please therefore circular a copy of P. & S. D. Note to all Secretaries. Id/- 1/5/51

Below copies of P. & S. D. Note dt. the 1-5-1951 regarding the question seniority of the ex. state servants absorbed in the B. S. E. Class I vis-a-vis Govt. servants and the Secy. P. W. D.'s note dt. 4-4-51 underlying it.

Very Urgent

No. P.W.D./2748-48-5035-F

P. & S. D. -
Dc May 51.

Forwarded to the Compliments to all the Secys. to Govt.

2. The question ~~xxxxxxx~~ will be discussed in the next meeting of Secys. ~~Bijne~~ and date of which will be communicated separately

By order etc.,
Id/-
5-5-51.
For ch. Secy. etc.,
P. & S. D.

Id/.
5-5-51.
A.S.

(File No. 2748/48)

Public Works Department
(E. B. I.)

Secy.

In case of P. W. D. Officers who belong to a technical service, the date of acquiring the professional qualification (B. E. Degree) and Class obtained in the B. E. Examination are material factors that should inter alia govern the seniority of ex-State officers vis-a-vis Bombay Officers, rather than 'initial pay'. In doing so, the seniority inter se of the officers from the same merged State (e. g. Baroda) would not be disturbed.

This departure from the rules should be authorised in consultation with Political and Services Department under the note to Rule 7 of the rules in Government Resolution, Political and Services Department, dated the 20th May 1949. It is justified on the ground that by absorption in Bombay Government service through a merged State, the absorbed Officer should not attain higher seniority than that attainable if all his service had been under Bombay Government a principle which has been applied to pay also in rule 3 (1), proviso (ii).

The seniority has been fixed tentatively on the above lines, as in statement Ii which is a continuation of Statements I-A and I-B and these papers may now be referred to Political and Services Department both on the question of rules and the ~~ACTUAL SENIORITY LIST~~ actual seniority list (Statement II).

Perhaps Shri Kelkar and Haval (serial No. 7/8 List I-B) may rank lower than an officer, confirmed hereafter as Executive Engineer, of Bombay Cadre, next to Shri Choksi (serial No. 18 List I-A).

Id/-
4-4-51.

Confidential.
Urgent.

Unofficial reference to the Political and Services Deptt.
dated the 4th April 1951.

.....

No. P. W. D. / 2748/48/5035-F.
Political and Services Department,
VERY URGENT. Bombay Castle, 5th May 1951.

Forwarded with compliments to all the Secretaries to Government.

2. The question will be discussed in the next meeting of Secretaries, time and date of which will be communicated separately.

By order of the Governor of Bombay.

Dll- 3181/51

For Chief Secretary to the Government of Bombay,
Political and Services Department.

F. C. S. will issue over revised signature of A. S. dt. 5-5-51. A. S.

Secretaries' Meeting.

AGENDA.

The next meeting of the Secretaries to Government will be held at 11 a. m. on Tuesday the 15th May 1951 in the Committee Room on the first floor of the Secretariat.

2. The following items will be considered at the meeting:-

(1) Reallocation of accommodation in the main and extension buildings of the Secretariat.
(Note circulated on 11-4-51).

(2) Delay in execution of schemes sanctioned by Government.
(Note already circulated by D. D.)

(3) Future of the posts of Under Secretaries and Deputy Secretaries. (Note circulated on 11-4-51).

(4) Maintenance of the Secretariat Employees Relief Fund. (Note will follow).

(5) Fixation of seniority of ex-State servants vis-a-vis permanent Government servants.
(Note circulated on 5-5-51).

(6) Problem of unemployment among the educated young people. (Note enclosed).

Sd/-
Chief Secretary to Government.

P. & S. D.
10th May 1951.

To

All Secretaries to Government.

Minutes of the meeting of the Secretaries to Government held at 11 a. m. on Wednesday the 16th May 1951.

PRESENT:

Chief Secretary.
Secretary, L. D.
Shri B. D. Mirchandani.
Secretary, R. D.
Secretary, L. & H. D.
Secretary, H. D.
Secretary, D. D.
Secretary, P. W. D.
Secretary, F. D.
Secretary, A. & F. D.
Secretary:
Shri A. Kalyanraman.

Item 1:-

Item1:- Reallocation of accommodation in the main and extension buildings of the Secretariat.

It was agreed that the Finance Department, the Development Department and the Rehabilitation Department should be shifted to the Secretariat Annexe, and that the question of reallocation of accommodation in the main building and the huts within the compound of the Secretariat among various Departments should be considered separately by a small Committee. It was further agreed that the Wireless Installation should be put up on the top floor of the new building. The Census Office which is at present accommodated in the Annexe should be shifted to the Bank of India Building. If it is found convenient, a reallocation of the accommodation in the two Bank Buildings should be made among the various Government offices at present located in these two buildings.

Item 2:- Delay in executions of schemes sanctioned by Government.

It was decided that the Secretary of the Department concerned should, in the case of substantial schemes involving construction of buildings sanctioned by Government (e. g. those whose cost is estimated to exceed Rs. 1 lakh), be in constant touch with the Secretary, P. W. D., so far as Bombay City is concerned and meet him and the Chief Engineer and the Superintending Engineer, if necessary, periodically. At these mettings the progress made in the execution of all such schemes should be revived and necessary measures taken to surmount all the obsteeles which are found to be hindering their expeditious execution. Outside the City, periodical conferences should be held by the collectors with the Heads of Offices concerned and devise ways and means to overcome all factors which entail delay and take necessary measures in consultation with them to expedite execution of schemes, especially substantial, sanctioned by Government.

Item 3:- Future of the posts of Under Secretaries and Deputy Secretaries.

(I) It was agreed that the proposal contained in paragraph 4(a) of Secretary F. D.'s note was the best in the circumstances and that each Department should examine the question and formulate its proposals for classification of the posts of Under Secretaries and Deputy Secretaries according to the three categories indicated in the statement attached to the Note.

(II) It was agreed that Heads of Departments whose headquarters need not necessarily be fixed at Bombay and whose headquarters if already fixed at Bombay may be shifted to another place in the State without entailing any special disadvantages, should be given Bombay Compensatory Allowance if their headquarters are fixed at Bombay. The criterion should be whether for the performance of their duties it is absolutely essential that their headquarters should be in Bombay and not elsewhere and if this be so, they should not be considered eligible for Bombay Compensatory Allowance.

(III) It was agreed that the ad hoc scales of pay fixed for posts above Class I Service scale which are at present open to both I. A. S. and non-I. A. S. officers should be abolished for those posts which are normally reserved for officers belonging to the I. C. S. or I. A. S. In such cases the ordinary rules of officiating pay for the higher posts should apply in the case of an I. C. S. or an I. A. S. officer I. A. S. officers while holding these posts.

Item 4:- Maintenance of the Secretariat Employees' Relief Fund.

It was agreed that in view of the straitened economic conditions of Government servants due to high cost of living especially of those getting low salaries, it was desirable to set up a Relief Fund for the staff working in the Secretariat, for the

for the benefit of members of the staff as well as their families. It was felt that a beginning might be made by the Secretaries themselves by starting a nucleus fund with their own contributions. A proper scheme could then be drawn up for the establishment of the fund with financial assistance from Government if possible, but in the meantime Secretaries who wished to help in starting the nucleus fund should send their contributions to the Secretary Finance Department, who would be in charge of the monies for the time being.

Item 5 :- Fixation of seniority of ex-State Servants vis-a-vis permanent Government Servants.

It was agreed that in order to expedite matters regarding fixation of pension, fixation of pay and fixation of seniority in respect of Gazetted as well as non-Gazetted staff of all Departments it would be desirable to appoint a special officer in the districts concerned of the grade of Mamlatdar, working directly under the collector. The duties of such a special officer, which will extend to absorbed personnel of all Department, will be to collect and go through the relevant material and submit proposals regarding fixation of appy and seniority or pension, as the case may be, to the appropriate authority in pmc besides the district or to the Accountant General as the case may be. Having regard to the nature of the work, a special pay (which might be fixed at 20% of the substantive pay), may be sanctioned but the drawal of the special pay should be made conditional on the disposal of a specified number of cases monthly.

Item 6:- Problem of unemployment among the educated young people.

It was agreed that as the problem of unemployment among the educated young persons was very wide and of a general nature, the Chief Secretary should discuss the question with..

with Secretaries, E. D., D. D., Labour and Housing Department, etc., and then explain the difficulties of formulating any feasible scheme for the solution of the problem to H. C.M.

Sd/-
Chief Secretary to Government.

23-5-1951.

POLL. & SERVICES DEPTT.
"F" BRANCH.

Submitted with ref. to C. S.'s note dt. the 1-5-51. and the proceedings underlying it.

2. The question raised in these papers viz. fixation of seniority of ex-State Servants vis-a-vis Govt. Servants was discussed in the Secy's meeting and the decision arrived at therein will be found at 'X' at page 32 ante. It will be seen that the decision pertains not only to the question of fixation of seniority but also to the question of fixation of pay or pension as the case may be of ex-State Servants. The decision is intended to apply to state servants who are absorbed in on gazetted posts as well as those who are absorbed in gazetted posts. Accordingly to the decision, a special Officer in the grade of Mamlatdar should be appointed in each district concerned whose duties will consist of collecting the relevant material and submitting proposals regarding fixation of pay and seniority or pension, as the case may be, of all ex-State Servants to the respective higher authorities. The jurisdiction of Special Officer will extend to cases pertaining to all deptt. in his dist, and he should work directly under the control of the Collr. of the district.

3. Please see in this connection the proceedings at pages 15-19 ante. The question raised in the P. W.D. file under submission was whether or not for the purpose of fixing seniority of P. W. D.

Ex-State servants vis-a-vis Govt. Servants.

P. W. D. Officers who are working in the B. S. R. Class I, general principles laid down thm in the rule 6 of the Rules laid down in G. R., P. & S. D. No. 2735/46-II dated the 20-5-49, should be followed. In view of the decision referred to in para. 2. overleaf. it appears that special Officers who will be applinted in the districts concerned, should make their proposals regarding fixation of pay, seniority etc., to the appropriate higher authorities in accordance with the relevant rules and principles as laid down by Govt. It is therefore presumed that no change in the rules regarding fixation of seniority is contemplated and seniority in all the cases should be fixed in accordance with rule 6 of the Rules laid down in G. R., P. & S. D. No. 2735/46-II dt. the 20-5-49.

4. It is intended that Special Officers proposed to be appointed, should submit their proposals regarding fixation of pay etc. in respect of gazetted officers also. It may be stated that pay and pension in the case of gazetted officers is fixed by the A. G., Bombay, after obtaining the necy material regarding servicebook, etc., from the respective heads of Deptts. Aslso seniority of gazetted officers is fixed on the basis of their pay, by the repective heads of the Deptts. in consultation with the administrative deptts. of the Secretariat. It therefore appears that Special Officer whose status will be equal to that of a Mamlatdar and whose jurisdiction will be restricted to a particular dist., in which he is appointed will not be in a position to make proposals in regard to fixation of pay and seniority of ex-State servants who are absorbed in gazetted posts.....

As stated above, pay in such cases is fixed by the A. G. in consultation with the heads of Deptt or admn. deptt. in accordance with the rules sanctioned by Govt. and it does not seem

meey. to extend the duties of Special Officers to gazetted Officers, which may result in unnecessary delay and complications. The question of fixation of seniority of gazetted officers does not pertain to a particular dist. and a special officer whose jurisdiction will be restricted to a particular dist., will not be in a position to make proposals to the higher authorities in this regard. It is therefore submitted that Special Officers may be asked to make proposals only in regard of ex-State Servants who are absorbed in gazetted posts.

This is correct. I do not see how an officer of the status Mamlatdar servingin a dist. can fix the seniority of offices absorbed in B. E. S. class I who formerly served in different states eg. Baroda, Kolhapur, etc

Id/- M. D. Bhat
10-6

5. According to the decision Special Officer is to be appointed in the dists. concerned which means dists. which have been altered or reconstituted as a result of merger. The following districts will have therefore to be excluded for the prupose of appointment of Special Officer.

(1) Ahmednagar, Bombay, B. S. D., Dangs Kanara, E. kh and W. Kh. It may be stated that the work regarding fixation of pay etc. of ex-State Servants is likely to be much less in Thana and Naisk Districts than in other districts which have altered, and appointment of a Special Officer for each of them would not be justified. In Thana dist. a small state viz. Jawhar, whose population is 64,023 has merged which now forms a taluka of that dis- Similarly in Nasik dist. Surgana State with a population of Rs. 41, 480 has merged which now forms a Mahal of that dist. It is therefore suggested that only one special Officer may be appointed for these two districts viz. Thana and Nasik. This point is however for orders.

Tulaka of that distric surgan state which population of 41480 has merged which now forms

6.- Necy. orders regarding creation of posts of Special Officers and appointment of suitable persons to them may issue subject to orders on the proposals made in the foregoing paragraphs. It may be stated that Special Officer, even though is required to deal with cases of ex-State Servants belonging to all depts. should work directly under the control of the Collr. of the dist. It therefore — the....

It is therefore proposed that necessary orders regarding eretion of the required number of posts of Special Officers in the grade of Mamlatdar may issue from the R. D. That Deptt. may also take immediate steps to make appointments to the posts in consultation with the respective Collrs.

The papers may be shewn u. o. to R. D. and F. D. for comsurrance.

Id/-
9-6-51.

I agree that it will not be possible for officers of the Status of Mamlatdar in dists. to deal with questions of fixation of pay seniority etc. of gazetted officers belonging to various services. So far as gazetted officers are concerned no change need be made in the present procedure for fixing the pay, seniority, etc.

As regards non-gazetted services special officers may be appointed for the dists. in which former State servants have been absorbed, in accordance with the decisions taken at the Secrys meeting. As the special offices are to be selected from the Mamlatdar Cadre, orders regarding their appointment may be issued from R. D.

Id/-
S. C. D(esia)
9/6

Please see margins. F. D. and R. D. should see.

F. D. Id/-
M. D. B(hat)
R. D. 10/6

u. o. r. to F. D./R. D. dt. 11/6/51.

Statement III.

Seniority according to pay-

Serias No.	Name of officer.	pay as on 1-1-50	Date from which appointed as Superintending Engineer in B. S. E. (II).
1.	ex-Baroda state officer Shri G. K. Patil.	Rs. P.M. 1,100	
2.	Ex. State Ex. Engrs. B.S.E. I in the Baroda (I) Shri N. C. Bulsara.	875	22-1-1948.
3.	Shri D. A. Gadkari.	830	1-6-1948.
4.	Shri A. G. Naik.	830	20-4-1949.
5.	Shri A. G. Maydee.	830	24-7-1949.
6.	Shri D. N. Chavan	740	
7.	Shri N. D. Daftary.	695	20-10-1949. (nology of next ((below rule.
8.	Shri C. R. Desai.	695	-do-
9.	Shri V. B. Mamerikar.	650	-do-
10.	Shri K. V. Jogleker.	650	
11.	Shri A. D. Telang.	875.	
12.	Shri L. W. Kale	830.	
13.	Shri N. C.Patel.	650.	
14.	Shri G. G. Dhamm,	650	
15.	Shri K. M. Kantevala	650	
16.	Shri K. M. Joshi.	650	
17.	Shri G. V. Sathe.	875.	
18.	Shri G. N. Godse.	695.	
19.	Shri K. G. Bhate.	695.	
	ex-Baroda state officer		
20.	Shri N. J. Dhelaki.	650.	
21.	Shri P. V. Gampule.	650.	
22.	Shri J. C. Otia.	650.	
	Ex. Engr. P. & C Class I		
23.	Shri B. K. Choksi.	620.	
	Ex. Sangali state officer		
24.	Shri V. H. Kelker.	530.	(This initial pay works out to Rs. 500 p. m. plus he has earned one increment of Rs. 30/ d. 15-11-49.
	Ex-Kolhapur State officer		
25.	Shri A. B. Haval.	500.	

Remarks.

(i) In the case of the ex-Baroda State officers the pay shown against their names consistsof intial pay plus one increment date on the 1-1-50.

(ii) The substitute pay of Shri C. R. Desai in the Ex. Engr. scale has not yet been fixed.

(iii) The initial pays of the ex-State officers have not yet been fixed. The pays shown against their names have been roughly worked out in P. W. D. Scale.

(iv) Orders regarding the absorption of Shri A. B. Haw Haval were issued on the 21-4-50 but according to G. R. P. W. D., No. 9697/36-I, dated the 21-4-50, his pay in the prescribed scale is to be fixed retrospectively with effect from the date he was appointed as Ex. Engr. i/c of the Kolhapur Dn. viz. the d. 1-8-49.

(v) In the seniority shown above the seniority inter se of the ex-State officers in their respective cadres in the merged states is retained undistributed.

JA

35

E.Br. MS 47/40011.

P. W. D.

ubmitted with reference to the Secy's note dated the 7-5-51.

2. Copies of the statements I-A, I-B and II refd. to in the Secy's noteare put up within. A statt.(No. III) showing the seniority of the permanent ex-State officers absorbed as Tempy. Ex. Engrs, in the B. S. E., Class I vis-a-vis permanent Ex. Engrs. in that cadre, fixed on the basis of their pay as on 1-1-1950 is also put up within. The information reg. the year of passing the B. E. examn., the marks and the rank obtained in the examn. by, and the past service, etc., of the officers refd. to above will be found in the statts. I-A and I-B. The grade pay of the permanent Ex. Engrs. in the B. S. E. Class I and the intial pay of the ex-State officers in the Ex. Engrs. scale of Rs. 500-30-650- E. B. - 45-1-100 and the dates of apptts. as S. E. are shown in Statt. III The substantive pay of Shri C. R. Desai, Ex. Engr., has not yet been fixed. Similarly the intial pay of the ex-State officers have not yet been fixed. Their pays as on 1-1-1950 have been roughly worked out and shown against their names in the Statt. III. Ofders reg. absorption of Shri M. B. Haval were issued on the 21-4-1950. He was, however, in charge of the Kolhapur Dn. with effect from the 1-8-1949 and his intial pay in the Ex. Engr's. Scale is to be fixed restrospectively with effect from the date he was appointed Ex. Engr. in charge ofthe Kolhapur Dn. in accordance with orders contained in G. R. No. 9697/36-I, dated the 21-4-1950. He is, therefore, entitled to drew pay at Rs. 500/- p. m. in the Ex. Engr's. scale at Rs. 500/- p. m. (which is his intitial pay on absorption) on the 1-1-1950 This pay has accordingly been shown against his name in Satt III. While fixing the seniority of the ex-State officers vis-a-vis

vis-a-vis permanent Ex. Engrs. in the B. S. E., Class I, on the basis of their pay as shown in the Statt. III their seniority inter-se in their respective cadres fixed prior to merger of the States has been retained.

3. From the seniority based on pay as shown in Statt. III it will be seen that Shri G. K. Patil and Shri D. N. Chawan, ex-Baroda State officers, top the list and would be senior to ten permanent Ex. Engrs. (Shri N. C. Bulsara to Shri L. W. Kale) in the B. S. E., Class II, who passed the B. E. Examn. much earlier and obtained higher ranks in the Examn. than the former officers. Incidentally, it may also be pointed that in the seniority based in pay (Statt III) Shri N. J. Dholakia, P. V. Gampula and Shri J. C. Otia, ex-Baroda State Officers, are getting lower seniority than that proposed to be fixed (Statt. II) on the basis of year of passing the B. E. Examn., length of service, etc.

Id/-
15-5451.

Id/-
15-5451.

DJ

Secy.

/

This was discussed in the meeting of Secys held today.

It was decided that principles for fixation of seniority, which take account of pay, length of service should be laid down (~~It must~~ that seniority should not depend mainly on pay as at present.

Sl. let me have draft of principles what would cover the all cases. We may try to secure that Shri Patel does not rank higher than officers who have been offg. as SE's for say 3 years continuously or have longer service than him.

Another point to be secured is that a Bombay Govt. servant referred hereafter in Sl. I will rank senior to confirmed officers of merged areas if the latter have more less service than him or in other words, the seniority of officers confirmed hereafter mark will be fixed in accordance with the principles and ~~it~~ may result in their being placed higher than confirmed officers of merged areas.

Information in Statement III (pay & date from which acting as S.E.) be incorporated in the other ~~Item~~ 2 statements.

The e. n. at p. 17 contains certain remarks which what should be phased on the statement III itself as 'remarks') it is hardly an office 'note'.

Id/-
16-5-51.

F. Br.

Submitted with reference to the office note dated the 15-5-51 and the Secy's orders therein.

2. The return of our original papers (file No. 2)-48/48) from the P. & S. D. and the receipt of the Sm of the Secy's meeting held on the 16-5-51 may perhaps be awaited till the 30-5-51. The P. & S. D. is being expedited separately for return of our papers.

There F. Br.

D. S.

Id/-
24-5-51.

Secy. Id 24/5/51.

Extract item 5 of minutes of the meeting of the Secretaries to Govt. held at 11 a. m. on Wednesday the 16-5-51.

Item 5: Fixation of seniority of ex-State Servants vis-a-vis permanent Government servants.

It was agreed that in order to expedite matters regarding fixation of pension, fixation of pay and fixation of seniority in respect of Gazetted as well as non-Gazetted staff of all Departments it would be desirable to appoint a special officer in the districts concerned of the grade of Mamlatdar, working directly under the Collector. The duties of such a special officer, which will extend to absorbed personnel of all Departments, will be to collect and go through the relevant material and submit proposals regarding fixation of pay and seniority of pension, as the case may be, to the appropriate authority in or outside the district or to the Accountant General as the case may be. Having regard to the nature of the work, a special pay (which might be fixed at 20% of the substantive pay), may be sanctioned but the drawal of the special pay should be made conditional on the disposal of [illegible] of a specified number of cases monthly.

Serial No.	Names of officers in order of seniority proposed to be fixed.	Year of passing the B.E. Examination.	Class obtained in the examination.	Length of service as on the 1st Jany. 1950. Years	Months.
1.	Shri N. C. Bulsara.	1922	II	25	6
2.	Shri D. A. Gadkari.	1924	II	24	11
3.	Shri A. G. Naik.	1924	II	24	11
4.	Shri A. G. Naydoo.	1925	II	24	•
5.	Shri N. D. Daftary.	1929.	I	19	7
6.	Shri C. R. Desai.	1926	II	23	4
7.	Shri V. B. Mamerikar.	1930	I	18	9
8.	Shri K. V. Joglekar.	1930	II	19	0
9.	Shri A. D. Telang.	1923	I	26	2
10.	Shri L. W. Male.	1926	II	22	9
11.	Shri A. B. Haval.	1926	pass	23	7
12.	Shri G. K. Patil.	1930	II	18	9
13.	Shri D. N. Chawan.	1929	II	19	10
14.	Shri N. J. Dholakia.	1923	Pass	22	11
15.	Shri P. V. Gampule.	1928	II	20	11
16.	Shri J. C. Otia.	1928	II	21	3
17.	Shri N. C. Patel.	1932	I	16	11
18.	Shri G. G. Dhanak.	1932	I	16	11
19	Shri K. M. Kantawala.	1933	I	16	0
20	Shri K. M. Joshi.	1933	I	16	0
21	Shri G. V. Sathe.	1923	I	26	1
22	Shri G. N. Godse.	1926	II	20	8
23	Shri K. G. Bhate.	1929	I	19	6
24	Shri B. K. Chaksi.	1931	I	17	8
25	Shri V. H. Kolkar.	1931	II	9	6

Id/-21/7/51

2748/48/5160A

P. W. D.
E

Submitted with ref. to the notes on pp. 7-17 and 29-34 and the Secy's note dated the 16-5-51.

2. The question under consideration in these papers is regarding fixation of seniority of the ex-State Officers who have been absorbed as tempy. Ex. Engrs. or tempy. Dy. Engrs. in this Deptt. Vis-a-Vis officers of this Deptt. According to Rule 6 of the Rules for the fixation of Pay and Seniority of State servants contained in G. R. P. & S. D., No. 2735/46-II, dated the 20-5-49, the seniority of the ex-State servants absorbed in the service of this Govt. vis-a-vis Govt. servants is to be fixed on the basis of the intial pay (excluding the personal pay). As, however, this principle cannot be equitably followed for fixing seniority of the ex-State officers absorbed in this Deptt. vis-a-vis the Engrg. officers of this Deptt. it was proposed to fix the seniority of the ex-State permanent Ex-Engrs. vis-a-vis permanent Ex. Engrs. in the B. S. E., Class I, on the basis of the year of passing the B. E. examn. by them and the dates of their apptts. as Ex. Engrs. or in equivalent posts in the merged States. As the proposal involved departure from the Existing rule and as it was considered that there might be similar cases in other Deptts. where application of the existing rule regarding fixation of seniority would give rise to an apparent anomaly the question of fixation of seniority of the ex-State servants vis-a-vis this Govt. servants was discussed in the Secretaries' meeting held on the 16-5-51. The decision arrived at in the meeting will be found at 'X' in the minutes of the meeting. It will be seen therefrom that no decision was taken in the Secy's meeting re: the principle to be followed for fixing the seniority of ex-State servants vis-a-vis this Govt. servants. The P. & S. D. does not agree to our proposal and has suggested that the existing rule may be followed for....

for fixing the seniority of the ex-State servants vis-a-vis this Govt. servants.

3. It has already been explained clearly that the existing rule re: fixation of seniority of ex-State servants vis-a-vis this Govt. officers cannot be followed quitably for fixing seniority of the ex-State Engrg. officers of this Dept. as it gives much higher seniority to ex-State officers over their contemporaries in this Deptt. and thus in volves injustice to the Deptt. officers and the absorbed State officers get undue advantage in seniority which is not intended under the rules. It may to stated that it has since been separately proposed in the case of some of the ex-Baroda State officers who have been absorbed as Tempy. Ex. Engrs. or Dy. Engrs. in this Deptt. that their intial pay on absorption may be equal to the pay last drawn by them in the Baroda State, i. e. they may be allowed to draw the same pay which they were drawing in the ex-Baroda State at the time of their absorption, instead of fixing their initial pay in accordance with the rules contained in G. R. P. & S. D., No. 2735/46, dated the 20-5-49, which would work out much less than the initial pay proposed to be granted to them. The initial pay proposed to be granted to them. The initial pay as stated above is proposed to be granted in order to avoid the financial loss they would otherwise suffer if their initial pay on absorption is fixed according to the existing rules. If this higher initial pay is taken as basis for fixing their seniority vis-a vis P. W. D. officers it appears that they will get disproportionately higher seniority. Accordingly they will get two concessions -- one in pay and the other in seniority -- one concession leading to another concession-- which is not usually allowed. There is another difficulty in accepting the initial pay of the ex-State officers as the basis for fixing their seniority, viz., that the minima of the revised pay scales sanctioned by the ex-Baroda State for its E. Engrs. and Asstt. Engrs. are much higher than the revised (prescribed) pay-scales sanctioned by this Govt. for the Ex. Engrs. and the Dy. Engrs.

(the....

(the difference between the minimum of the ex-Baroda Ex. Engrs' revised scale of Rs. 625-75/2-900 and the B. S. E. Class I, Ex. Engrs' scale of Rs. 500-30-650-E. B. -45-1,100 is Rs. 125 and that between the minima of the Baroda Asstt. Engrs' scale of Rs. 400-50/2-600 and the B. S. E., Class II, Dy. Engrs' scale of Rs. 220-15-400-E.B. -20-500 -E. B. 25-650 is Rs. 180) The ex-Baroda State officers, therefore, get higher initial pay in the prescribed scales. This is not, however, likely to happen in the case of officers of the other merged States absorbed in this Deptt. as their scales were not higher than the Bombay Govt. scales but the majority of the officers absorbed in this Deptt. are ex-Baroda State officers.~~xhxmk~~ It will accordingly be seen that the ex-Baroda State officers would get higher initial pay and consequently higher seniority than the pay and seniority which they would have got had they been in Bombay P. W. D. from the beginning. Pay is more or less an individual concern but the seniority affects the whole cadre. The P. W. D. officers cannot claim increase in the their pay on the basis of the pay allowed to the ex-State officers but they can certainly complain if their contemporary ex-State officers are given seniority over them mainly because the latter are absorbed through merged states and it appears that it will be difficult to dismiss their complaint as unjustifiable. As already stated, if the seniority of ex-State officers vis-a-vis P. W. D. officers is fixed on the basis of pay only, it is bound to create heart-burning and dissatisfaction amongst the P. W. D. officers as they are bound to suffer in seniority. It may also be stated that the "year of passing" the B. E. examination cannot be adopted as sole basis for fixing seniority because a definite guarantee of appointment in the B. S. E. was given to the top ranking students who passed the B. E. examn. of the Bombay University and the majority of our officers in the B. S. E. Class I & Class II are appointed under guarantee and they will have to be given credit for the

ing...

fixing their seniority. At least they cannot be made to suffer in seniority. It is, therefore, necy. to take into account the class, rank and marks obtained by the officers in the B. E. Examination for fixing their seniority

4. The Dy. Secy., R. & S. D., in his note dated the 30-4-1951. has stated that, if University qualifications is accepted as basis for fixing seniority, it will create great difficulty and more embarrassing situation in respect of servants of other services. The difficulty pointed out by the Dy. Secy., P. & S. D., does not appear to be of great importance. The Engrg. officers of the Bombay P. W. D. and of the merged states are graduates in Engrg. of the Bombay University and, therefore, University qualification, i. e., the year of passing the B. E. Examn., can be accepted as a basis for fixing their seniority. It may be stated that there is no such common qualification standared in the case of the officers (both of the merged States and of the Bombay State) of the other Services. They might be graduates of different Universities with different curricula, while some of them might be double graduates. It, therefore, appears that, if the University qualification are adopted as a basis for fixing seniority of the Engrg. officers, it cannot form a precedent for officers in other services as they have no such basis fo of common qualifications, and comparesion.

5. There is no other suitable criterion which can be followed for fixing the seniority of ex-State Engrg. Officers vis-a-vis officers in the B. S. E., Class I & II. The dates of their apptts. as Ex. Engrs. or Dy. Engrs. or in corresponding posts cannot also be followed for fixing their seniority because different officers in different States get uneven promotions according be the strength of their cadres and under different methods. It may, however, be stated that practical experience is given much importance in technical services. Along with the University qualification the length of service rendered by the officers in their respective merged States in the case of absorbed officers and under the Bombay Govt. in the case of B. S. E., Class I & Class II, officers may, therefore, be.....

be taken into account for fixing their seniority. Accordingly the seniority of of the ex-State officers who were confirmed in the posts of Ex. Engrs. or equivalent posts in the merged States vis-a-vis may be fixed on the basis of the year of passing the B. E. Examination; the Class, the marks and the rank obtained by them in the examination and the length of service put in by them in their respective States. In doing so, the seniority inter se of the officers from the same State may be retained undisturbed. A statement showing the seniority of officers in question fixed on the basis of this principle has been prepared and put up within. We may fix the seniority of the officers on these basis. The papers may be refd. u.o. again to the P. & S. D. with a request to reconsider its view and agree to our prepesal as a special case.

Principle as laid down at 'Y' in the Secy's note on p. 45 ante may also be followed, in respect of the officers, who will be confirmed in B. S. E., Class I hereafter.

Id/-
21-7-51.

Id/-
23/7/51

I think that a departure from the normal rule that seniority should be governed by pay is justified in this case, since the adoption of the normal rule would give an undue advantage to the absorbed officers of a technical service- 'undue' from the viewpoint of their qualifications as well as engineering experience and would create discontent among B. S. E. officers. Pay can be looked upon as a personal matter whereas seniority is relevant, together with merit, for purposes of promotion. As it happens, all the absorbed officers are engineering graduates of the Bombay University and started service after graduation; they will therefore have no cau for complaint if while their pay is safeguarded, their seniority i fixed, in consideration of their year of passing and class and ra in the B. E. examination. This need not create a precedent for

other...

other classes of officers, in cases where conditions are not on all fours with those of engineering officers. In effect this is tantamount to the services of the absorbed officers in the merged states being considered as equivalent to service in Bombay cadre and their being placed below officers having same length of service but higher class or rank in the B. E. examination.

As stated on page 45 ante, the fixation of seniority would be subject to the claims of B. S. P. officers confirmed hereafter who can on the above principles, claim higher seniority.

I feel that arrangements on these principles will be just and fair to all concerned.

Ild-

H. M. P. W. D.

P. & S. D. may be asked to note in this re-
place case.

Id

25-7-51.

Confdl.
Urgent

U. O. R. to the P. & S. D., dated 31-7-51. Ild

POLITICAL AND SERVICES DEPARTMENT
'P' BRANCH'

The question raised in the P. W. D. file under submission is regarding fixation of seniority of ex-State servants absorbed in the B. S. E. Class I vis-a-vis permanent Govt. servants working in that Cadre. According to the general priciple laid down by Govt. in this reppect, seniority is to be fixed on the basis of initial pay of State servants fixed under the rules 3 and 4 of the Rules for fixation of Pay and seniority of State ser vants laid down in G. R., P. & S. D., No. 2735/46-II dated 20-5-1949-vide rule 6 of the said Rules. Please see in this connection pages 23-25 of the file 2735/46-II below. There were two alternative principles for fixation of seniority of State servants, before Govt. which are mentioned below:-

(1) State servants should be given seniority vis-a-vis Govt. servants as if they had been in the Bombay Govt. Service from the beginning; and (2) the pay of State servants should be fixed having regard to their past (State) service and they should be given seniority on the basis of their pay, so fixed.

The alternative (1), which has been adopted in case of non-Muslim refugees from Pakistan was not considered to be reasonable in the case of State Servants as conditions of Service in the former States were not similar to those available in the Bombay State (Province) and State Servants in general did not possess similar educational qualifications as those possessed by the corresponding Govt. servants. The alternative (2) has therefore been laid down that seniority of State servants should be fixed on the basis of their ' intial pay' fixed in the Bombay Govt. service. It will therefore be clear that while considering the question of fixation of pay, due credit is given to the period of service rendered by a State servant in posts in State Service, which are corresponding to (i. e. equal in responsibilities of)

the.....

the post in which he is absorbed in the Bombay Govt. Serive. In other words, initial pay fixed in each case reflects the length of service as well as experience gained by a State servant while in the State Service. The general principle laid down by Govt., which states that seniority of State servants vis-a-vis Govt. servants should be fixed on the basis of initial pay of ex-State servant, therefore, takes into consideration all relevant fasters such as experience, length of service etc. In view of the position explaied above, it is difficult to relax the general principle laid down by Govt. in favour of a particula class of service, unless there are streng grounds in support of such relaxation.

2. The proposal made by the P. W. D. to relax the general principle in favour of the B. S. E. (Class I) is based on the following grounds:-

(1) The B. S. E. (Class I) is a technical service where practical (engineering) experience is of great importance.

(2) The State servants absorbed in the S. E. (Class I) should not be given undue advantage only because they are absorbed in the Govt. service through the merged States.

As regards (1) it is true that the nature of service in the B. S. E. is peculiarly 'technical', though it may be stated that there are other types of Services, which are more o less 'technical'.

As regards (2), it is true that the ex-State servants are given undue advantage in respect of their seniority, in as much as, they rank higher than the Bombay Govt. Officers wh have put in equal or more years of service and have more experience to their credit. On the whole, it therefore, appears that the application of the general principle refered to above will not work in an equitable manner in the case of the B. S. E....

B. S. E. Class I since it allows undue benefit to the ex-State servants in the matter of their seniority. The ex-State Servants in this case belong to the Baroda Kolhapur and Sangli States. The conditions of service in the case of these States cannot be considered as on par with those available in the Bombay State Service-Vide 'A' at p. 55 ante. Asso promotions in these States to the higher posts were uneven and it would not therefore be reasonable to fix seniority of ex-State servants as if they were in the Bombay Govt. Service from the beginning. This principle will also upset the seniority of ex-State servants as it stood, while in the State Service, as some State servants are junior to these whose period of service is less than the former vide statement at page 3.

In the circumstances, the criterion suggested by the Secy., P. W.D. at 'A' of his note at p. 56 ante will work in an equitable and just manner. The same may be applied in this case, as a special case, in view of the fact that there is much force in the point (2), put forth by the PWD and the difficulty pointed out therein is genuine. However as the proposal involves relaxation of the general principle laid down by Govt., the papers are submitted for orders.

For the reasons given in Secy. P. W. D. 's pp. 56-57 note dated the 24th July 1951, it is suggested that in fixing the seniority of ex-States officers belonging to the Engineering Service on absorption in the Engineering Service of this Govt., a departure from the general principle laid down for all services that seniority should be fixed on the basis of the initial pay fixed ob absorption should be made and that the seniority of officers of this service which is x 'a technical service' should be fixed on the lines indicated p. 55 at 'A' in Secy P. W. D. 's note referred to above; i. e. it should be in consideration of thier year of passing E. E. examination and in

case...

case of those who have passed the B. E. Exams. in the same year on the basis of class and rank secured in the Exams. of that year. According to this a pass class B. E. of the 1926 would take seniority over the 1st Class B. E. of 1927 but of the two II class B. E.s of 1927, one who has even secured a few marks more say about ten to fifteen[X] would take seniority over the other although the initial pay of the latter on the rule on absorption may be higher than that are who has secured a few marks more.

X i.e. about 2-1.

2. If seniority is fixed on the basis of pay accefding to existing prieniples, the seniority of ex-State officers vis-a-vis permanent Executive Engineers in B. S. E. Class I will be as shown in the Statement III on page 41 ante. The names of the Ex-State Servants have been ticked off by me in pencil in the column of serial nos in the statement. If on the other hand, the seniority is fixed on the basis of new principles new principles as proposed by Secy., P. W. D. the seniority of Ex-State Servants vis-a-vis Bombay State Servants wiill be as indicated in the statement on page 49 ante. The names of Ex-State Servants have been tikked off in pencil in this statement also in the column of serial nos. It will be seen that while according to existing principles, two officers of Ex-States Servants gain in seniority i. e. Shri Patil tops the list and Shri Chauhan ranks at no. 6. According to the new principles suggested by Secy., P. W. D., while these two officers lost in seniority and rank at serial nos. 12 and 13 all the rest of the Ex-States Officers gain in seniority i. e. Shri Haval goes up from serial No. 25 to serial NNo. 11. Shri Dhelakia, Gampule and Otia go up from serial nos. 20,21 and 22 to serial nos 14,15,16. There is practically no change in seniority of Shri Kelkar who goes down from No. 24 to No. 25. It will thus be seen that if the principles are altered as suggested by Secy. P. W. D. the number of Bombay State officers who would

be...

be adversely affected will be greater than what it would be if the seniority is fixed on the basis of existing principles and it will create dissatisfaction and heart-burning among the Bombay State Servants who would be so adversly affected. The position therefore will be as stated at pp. 15-16 in my note dated the 30-4-51 viz., that it is impossible to frame any set of rules which would give full satisfaction to all servants whether they belong to former States administration or to this State.

3. All the officers included in the two statements at p. 41 and p. 49 belong to B. S. E. Class I and are permanent Executive Engineers. While it is suggested that the pay of ex-State officers should remain unaltered, their seniority should be fixed on the new principles, so that for promotion to higher grade they may not gain undue advantge. The next higher grade is that of S. E.s. It seems from Statement III on page 41 that while some of the Bombay State Servants who according to length of service are senior to all the Ex-States Officers are already officiating in the higher grade of S. Es. It can therefore be urged that these officers both on the ground of their length of service and on the basis of the experience acquired in higher posts of S. Es. should not lose in seniority as against any States Officers who have not acquired such experience in higher posts. It will, however, be difficult to deprive the ex-State officers of their seniority due to the on the basis on pay over those of the Bombay State Officers who still hold the same rank i. e. of Executive Engineers and have had no opportunity of working in higher posts of S. Es. or posts of equivalant status. In my opinion, if uniform justice is to be done to all officers, whether they belong to Bombay State Service, or are ex-States Servants, seniority may be fixed on the lines indicated below:-

(1) The principle of fixing seniority on the basis of pay

of pay should remain unaltered.

(2) The Ex-States Officers who are all of Ex. Engineer's rank irrespective of their pay as fixed on absorption should not be allowed to officiate in the grade of S. Es. in preference to those who are already officiating in the higher grade or in the grade of equivalent status i. e. they should rank below under all who are officiating as Ex. Engrs.

(3) Even after their seniority is fixed on this basis, no Ex-State Officers solely on the basis of seniority should be considered for promotion to the higher grade of S. Es. unless they are considered fit for such promotion on the basis of positive merits laid down in P. & S. D. G. R. dated the 18-12-50

The above suggestions while they do not constitute departure from the existing principles laid down by Govt. for fixing seniority of officers of all Services meet the reasonable grievances of Bombay State Officers of the technical service of engineer who are senior to ex-States servants both according to length of their service and on the basis of greater experience acquired by them in higher posts. My own apprehension is that the basic principle of fixing seniority if altered for officers of one Service would lead to greater complications in that Govt. will be flooded with representations from officers of other Services asking for application of the same principles to them. Even on merit, the new principles suggested by Secy., P. W. D. as at 'A' in para. 1 of this note can hardly be regarded as sound or equitable. It allows a pass Class B. E. who passed only one year earlier than a 1st Class B. E. seniority over the later but it does not allow seniority to an Ex-States Servants who gets higher pay on absorption and who has passed the B. E. in the same class in the same year as a Bombay State Servant but is unfortunate to secure about ten to fifteen marks less than the Bombay State Servant. In the light of the above analysis, Govt.

about 2 only

Govt. may pass such orders as they deem proper on the issues raised by P. W. D.

Id/-
13-8

I agree that it would be invidious and wrong to jettision the principle of fixing seniority on the basis of pay in the case of officers of merged States absorbed in the service of this Govt. in the Public Works Deptt.

In view however of the special difficulties pointed out by the Department we may lay down that officers of merged States who were serving as Executive Engineers in their respective States on the date preceding the date of merger of the State with this Province (State) will take their rank belwe all the Provincial officers who were officiating as Superintending Engineers in this Province (State) on that date. This means that the Provincial officers who were already officiating as Superintending Engineers on the date of the merger will not give place to the Executive Engineers of the merged States although the pay of the latter may be more than the pay of the former as Executive Engineer in the Province. From the date of the merger new appointments of officiating Superintending Engineers should however be made on the basis of pay, provided the officer concerned possesses the qualification of positive merit as laid down in the Government Resolution of 18-12-1950.

I feel that this course will be fair to all officers including those who were already in the Province and those who came over from merged states.

Sd/-
18-8-51. H. M. P. W. D.

I agree with the P. & S. D. O. N. and C. S.'s remarks thereon. H. C. M.

Ordinarily it would not have been therefore necessary for me to note on this file. But having been previously connected with the Baroda

administration,...

administration, and having personal experience of the Baroda Engineering and other services, as well as of the B. S. E. Officers, I would like to place on record that the principles enunciated by Secretary, P. W. D. (vide pages 44-45 & 56-57 ante), if acted upon, would have caused considerable embarassment to Govt. After evolving a set of rules applicable to all merged officers, to make an invidious distinction in the case of a particular service on the plea or its being a 'technical' service, would have caused difficulties to Govt., as there are other technical services besides Engineering, e. g. Medical, Agricultural, Forest, & C. This would have also caused unnecessary discontent in the merged areas. It would have been also wrong to fix seniority merely on the basis of passing in a particular year and on the difference of a few marks secured in the examination several years ago; in spite of an officer having shown superior merit in service. If a reference is made to the officers ticked in pencil on p. 49, who are mostly Baroda officers, it would be seen that Shri Dholakia (Serial No. 14) who had passed B. E. in 1929 is junior to Shri [illegible] Chavan (Serial No. 13) who passed three years later. Shri [illegible] G. K. Patil, of the Baroda Engineering Service was made Superintending Engineer by the former Baroda Govt., because of his superior ability and experience even though junior in length of service to other four officers of the Baroda Engineering Service The same thing happened in the B. S. E., Shri Daftary (Serial No. 5, page 49 ante) being given a higher seniority to several officers who had joined the service some years earlier.

The formula suggested by F. & S. D., viz. that those who may have been officiating as S. Es in the B. S. E. should not lose their seniority to the merged State officers because of the higher basic salary of the latter, is on the whole a sound one. The formula is likely to cause some embarass ment in the case

case of Shri G. K. Patil of the former Baroda Service (serial No. 12, p. 49 ante) and Shri K. V. Joglekar of the B. S. E. (Serrial No. 8,, ibid). The former may complain that though he was a S. E. in Baroda Engineering Service, he is not given due consideration by this formula; his basic salary being higher than some of the S. Es. It would also cause an embarassment in the case of Shri K. V. Joglekar, a very competant B. S. E. Officer who passed in the same year along with Shri G. K. Patil in 1930, in the same class but securing a higher rank. He was also been given seniority by the P. S. C. over several B. S. E. officers joining service some years earlier.

There was recently a chance of appointing him to officiate in S. E.'s post when Shri Karandikar went on two months' leave. But as C. E. was constantly on tour in the summer and I also, it would have upset office work had Shri Joglekar been transferred to Poona and somebody else asked to officiate as Dy. Secretary. Shri Joglekar was not therefore given the promotion in this short time vacancy, which he would have been otherwise given. For the sake of these two officers, however, it would not be right to upset the general rule as suggested by Secretary, P. W. D. So far as these two officers are concerned, the promotion would depend on positive merit, inter se, on basis of which promotions in future are tobe made. For the same reason no injustice is likely to be done to any B. S. E. officer by accepting the recommendation of the P. & S. D.

H. C. M.

Id/-

21-8-51.

C. S.

U. O. R. to P. E. D.

2748/4851604
P. W. D.

E. Br.

Submitted with ref. to the office note dated the 4.7.51 and the orders of Govt. thereon:

2. The initial pays of the ex-State officers on absorption in the service of this Govt. are to be fixed by the A. G.% Bombay. The question of fixing their initial pays is separately under consideration. It is dependent on the certificate required under rule 2 (b) of the Rules for the fixation of pay and Seniority of the State Servants contained in G. R.?, F. & S. D. No. 2735/46-II, dated the 20-5-49. The question of issuing general certificates, one in the case of the ex-Baroda State officers and the other in the case of the officers of the other States, absorbed in this Deptt. have been taken up and are under consideration in files No. 9697/36-(2) and No. 2748/48. The former file is under submission to Govt. since the 3-7-51 (It was passed on to the Secy., F. D., the Ch. Secy. and the H. M., P. W. D. on the 3-7-51 and has not yet been received back). The latter file has been refd. u. o. to the F. D. on the 20-9-51. After the certificates in question are issued the initial pays of the ex-State officers will be fixed by the A. G. Bombay. Unless and until the initial pays of the ex-State officers are fixed, it is not possible to fix correctly their seniority *vis-a-vis* permanent Ex. Engrs. in the B. S. Class I. The initial pays of the ex-State officers shown in statement III on p. 41 *ante* were roughly worked out in this office and cannot be adopted for fixing the final seniority. The question of fixing the seniority of the ex-State officers vis-a vis the officers of this Department will, therefore, be dealt with further after the initial pays of the former are fixed.

D. S.
Secy.
H. M. P. W. D.

Id/-10-51.

Id/-
8-1-51.

3544/48/97928.

P. W. D.

Submitted with reference to the office note, dated the 8.9.51.

2. The presumption made at 'A' in para. 3 of E. & S. D. office note, dated the 8-11-51 is not correct. The proposal of this Deptt. is that, pending fixation of seniority of the ex-State Officers absorbed as tempy. Dy. Engrs. vis-a-vis Dy. Engrs. in the B. S. E., Class II, of this Deptt., the committee constituted for preparing the " Select List " may be asked to arrange the officers recommended by it in a preferential order on the basis of merit and qualifications and the list so prepared in preferential order may be followed in the order of preference indicated by the Committee for making appointments of Ex. Engrs. till the final list is prepared. The P. & S. D. 's suggestion that pending fixation of the seniority of the officers recommended by the Committee, the list of officers recommended by the Committee may be treated as one of officers considered fit for promotion and that whenever any vacancy occurs, it should be filled by appointment of one of the officers in the list after considering specifically in each case on merits which of the officers should be promoted, seems to be suitable and may perhaps be accepted.

Sd/- B. R. P.
3-12-51.

Id/- K. C. B(hate).
4/12/51.
----------D. S.

Id/- M. L. C(hamphekar).
7-12-51.
C. E.

Id/- C. G. B(edekar).
7-12-51.
Secy.

The Baroda and other States integrated with the State of Bombay 2½ years ago and still we are nowhere nearer fixing the relative seniority of the Baroda and other State Officers of their respective engineering service.

At....

At first the A. G. 's office was asked to look into this question, but the performance of that office was so unsatisfactory that I had to ask the then D. S., Shri Joglekar, to have the matter looked into the P. W. D. office itself. This must be about a year ago, if not more, a And still for some reason or the other no finality of recommendation is reached. I fail to understand the reason for this delay. The Service Books of the P. W. D. officers of the merged States were called for and are, I take it in our own office. Such delay in the fixation of the relative seniority of these officers has not only caused dissatisfaction in the minds of these officers, but also in the minds of the public of these merged areas, which unnecessarily brings Government into disrepute.

Secy., P. W. D. will arrange to appoint a Special Officer, if need be, from our own staff, to attend to this matter and to let me have a statement in the relative seniority of the said officers within two months. If this could not be done within that period, reasons therefore should be submitted to enable early action being taken. I would like to have a fortnightly report submitted indicating what progress has been made in that period.

Id/- J. N. M.(ehta),
24-12-51.
H. M.

Annexure to G. R., P. W. D., No. 2748/48, of the 18-1-52.

Statement showing the provisional seniority of the ex-State officers absorbed as temporary Executive Engineers in the Bombay Public Works Department, vis-a-vis permanent Executive Engineers in the Bombay Service of Engineers, Class I.

Number in order of seniority.	Name of officer.
1.	Shri N. G. Bulsara, B. E., M. I. E. (Ind.)
2.	Shri D. A. Gadkari, B. E., A. M. I. Struct. E(Lond.), M.I.E (Ind).
3.	Shri A. G. Naik, B. E.
4.	Shri A. G. Maydeo, B. E., A. M. I. E. (Ind).
5.	Shri N. D. Daftary, B. E.
6.	Shri C. R. Desai, B. E.
7.	Shri V. B. Mamarikar, B. E.
8.	Shri G. K. Patil, B. A. (Hons.), B. E., B. Sc. (Hons.)Engrg.(Lond.), M.I.E.(Ind.)
9.	Shri K. V. Joglekar, B. E.
10.	Shri A. D. Telang, B. A., B. E.
11.	Shri L. W. Kale, B. E.
12.	Shri D. N. Chavan, B. E., A. M. I. E. (India).
13.	Shri N. C. Patel, B. E., A. M. I. E. (Ind.)
14.	Shri G. G. Dhanak, B. E., M. I. E. M. Com Se. e. C. E.
15.	Shri K. M. Kantawala, B. E., A. M. I. E. (Ind.) M Inst. H. E. (Lond.)
16.	Shri K. M. Joshi, B. Se., B. E.
17.	Shri G. N. Godse, B. E.
18.	Shri K. G. Bhate, B. E., A. M. A. M. Soc. C. E.
19.	Shri N. J. Dholakia, B. E.
20.	Shri P. V. Gampula, B. E., A. M. I. E., Struct. E.
21.	Shri J. C. Otia, B. E., A. M. E. (India.)

22. Shri B. K. Otia, B. E., A. M. I. E. (India).

23. Shri V. H. Kelkar, B. E., A. M. I. E. (Ind.), M. I. San. I (Lond)

24. Shri A. B. Raval, B. E.

Circuit 2748/48/51605

P. W. D.

Submitted with reference to the office notes dated the 21-7-51 and the 1-10-51.

2. The question under consideration in these papers is regarding fixation of seniority of ex-State officers, who were holding substantive permanent appointments equivalent to or higher than the Ex. Engrs. in the B. S. E. (I) and who have been absorbed as temp. Ex. Engrs. in this Deptt. vis-a-vis permanent Ex. Engrs. in the B. S. E. Class I. It has been decided that the seniority of these officers may be fixed on the basis of pay in accordance with Rule 6 of the Rules for the fixation of pay and Seniority of State servants contained in G. R., P. & S. D. no 2735/46-II dated the 20-5-49 but all ex-State officers are to rank below the B. S. E., Class I Ex. Engrs., who were already officiating as S. Es. All ex-State officers are, therefore, to rank below Shri V. B. Mamerikar who is the last B. S. E., Class I, Ex. Engr. who was officiating as S. E. - vide statement III on p. 41 ante. Accordingly the question now for consideration is to fix the seniority of the seven ex-State officers vis-a-vis the remaining permanent B. S. E. Class I, Ex. Engrs. mentioned below.

P.T.O.

Ex-State officers.	B. S. E. Class I Ex. Engrs.
1) Shri G. K. Patil	1) Shri K. V. Joglekar.
2) Shri N. N.Chavan.	2) Shri A. D. Telang.
3) Shri N. J. Dhelakia.	3) Shri L. W. Kale.
4) Shri P. V. Gampule.	4) Shri N. C. Patel.
5) Shri J. C. Otia.	5) Shri G. G. Dhanak.
6) Shri V. H. Kelkar.	6) Shri K. M. Kantawala.
7) Shri A. B. Haval.	7) Shri N. M. Joshi.
	8) Shri G. V. Sathe.
	9) Shri G. N. Godse.
	10) Shri N. S. Bhate.
	11) Shri B. K. Chaksi.

The question of fixing seniority of these officers was deferred pending fixation of the initial pay of the ex-State officers. As it will take some time to fix their final initial pays-for want of detailed information reg. their past service and in view of the Hon'ble H. M.'s minute dated the 24-12-51. The question of fixing their seniority is taken up. The seniority may be fixed on the basis of their initial pays as roughly worked out in this office. Their pays as on 1-1-50 on the basis of the initial pay roughly worked out in this office as well as the pays of the B. S. E., Class I, Ex. Engrs. mentioned above have been shown in statement III on page 41 ante. The name of Shri G. V. Sathe may, if appd., for the present be omitted as he has not yet been confirmed as Ex. Engrs. although a permanent vacancy of Ex. Engr. has been reserved for him.

3. According to rule 6 of the Rules for the fixation of Pay and Seniority of State servants, the ex-State officer is to rank below the most junior Govt. servant drawing pay equal to or higher than the formers initial pay. The seniority of the seven ex-State officers mentioned above vis-a-vis permanent Ex. Engrs. in the B. S. E. Class I would, therefore, be as shown in the statement put up within and

up ~~emkm~~ within and may be fixed accordingly. This seniority may be treated a provisional and it may be revised, if necyr. after the initial pays of the ex-State officers are finally fixed. If so, the draft put up for approval may issue.

Id/-
5-1-52.

Id/-
6-1-52.

D. S.
By C. Ra.
S. K.

Id/-
6-1-52.

Secy.
M.

6

Seniority.
Ex.-State Officers vis-a-vis
Government officers.

Government of Bombay.
Public Works Department.
Resolution No. 2748/48.
Bombay Castle (Bombay No. 1),
18th January 1952.

RESOLUTION OF GOVERNMENT.

The question of fixing the initial pay of the ex-State officers who have been absorbed as temporary Executive Engineers and Deputy Engineers in the Public Works Department and their seniority vis-a-vis officers of this Government in the Public Works Department is under the consideration of Government. Pending final fixation of their initial pay and seniority, Government is pleased to fix provisionally on the basis of the initial pay worked out in the Secretariat, the seniority of the ex-State officers, who were holding permanent substantive appointments equal to or higher than an Executive Engineer in the Bombay Service of Engineers, Class I, vis-a-vis permanent, Executive Engineers in the Bombay Service of Engineers, Class I, as shown in the accompanying statement.

By order of the Governor of Bombay, * printed as an accompaniment

Sd/-
(V. W. Gothoskar,)
Deputy Secretary to Government.

To
The Political and Services Department.
The Labour and Housing Department.
The Agriculture and Forests Department.
The Chief Engineer, Public Works Department.
The Chief Engineer, Bombay Electric Grid.
The Superintending Engineers of Circles.
The Electrical Engineer to Government.
The Public Health Engineer to Government.
The...

The Joint Director of Agriculture (Engineering).

The Motor Transport Controller, State of Bombay.

The Secretary, Bombay Housing Board.

The Accountant General, Bombay

The Deputy Accountant General, Baroda.

The Executive Engineers of Divisions.

Class 'A'

No. of 1952.

Copy forwarded for information and guidance to-

Accompaniment to Government Resolution, Public Works Department,

No. 2748/48, dated the 18th January 1952.

Statement showing the provisional seniority of the ex-State officers absorbed as temporary Executive Engineers in the Bombay Public Works Department, vis a vis permanent Executive Engineers in the Bombay Service of Engineers, Class I.

Number in order of Seniority	Name of officer.
1.	Shri N. C. Bulsara, B. E., M. I. E. (Ind)
2.	Shri D. A. Gadkari, B. E., A. M. I. Struct. E(Lond.), M. I. E.(Lon
3.	Shri A. G. Naik, B. E.
4.	Shri A. G. Maydeo, B. E., A M. I. E. (Ind.)
5.	Shri N. D. Daftary, B. E.
6.	Shri C. R. Desai, B. E.
7.	Shri V. B. Mamerikar, B. E.
8.	Shri G. K. Patil, B. A. (Hons), B. E., B. S. c. (Hons.) Engrs. (Lond.), M. I. E. (Ind.)
9.	Shri K. V. Jogleker, B. E.
10.	Shri A. D. Telang, B. A., B. E.
11.	Shri L. V. Kale, B. E.
12.	Shri D. N. Chavan, B. E., A. M. I. E. (Ind.)

13. Shri N. C. Patel B. E., A. M. I. E. (India).

14. Srhi G. G. Dhamak, B. E., M. I. E. M. AM. Soc. C.

15. Shri K. M. Kantawala, B. E., A. M. I. E. (Ind.) M Inst. H. E. (Lond.)

16. Shri K. M. Joshi, B. S.c., B. E.

17. Shri G. M. Godse, B. E.

18. Shri K. G. Bhate, B. E.? A. M. A. M. A. M. Soc. C. E.

19. Shri N. J. Dholakia, B. E.

20. Shri P. V. Gampule, B. E., A. M. I. E., Struct. E.

21. Shri J. C. Otia, B. E., A. M. E. (India.)

22. Shri B. K. Choksi, B. E., A. M. I. E. (Ind.)

23. Shri V. H. Kelkar, B. E., A. M. I. E. (Ind.), M. R. San. I (Lond.)

24. Shri A. B. Haval, B. E.

Ahmednagar
Dated 17th July 1952.

From:

Shri K. V. Joglekar, B. E., A. M. I. E., B. S. E. (I).
Executive Engineer, Ahmednagar Division.

To

The Honourable Chief Minister,
Government of Bombay.

Subject:- Seniority in Bombay Service of Engineers Class I.

Respected Sir,

I would respectfully submit the following representation regarding fixation of my seniority 'vis-a-vis' Shri G. K. Patil of the former Baroda State P. W. D. now absorbed in the Bombay Service of Engineers, Class I, for favour of sympathetic consideration.

2. According to para 6 of ~~sympathetic~~ G. R. (F & S. D.) No. 2735/46-II dated the 20-5-1949, the seniority of the ex-State servants absorbed in Government service should be fixed on the basis of the initial pay (excluding personal pay) and State servant shall rank below the next Junior Government Servant drawing pay equal to or higher than the former's initial pay.

3. Pending final fixation of the initial pa of the ex-State servants absorbed in P. S. E. (I), Government was pleased to fix provisionally the seniority of certain state Officers, on the basis of initial pay worked out in the P. W. D. Secretariat, vide please G. R. (P. W. D.) No. 2748-48 dated the 19-1-1952. The seniority of Shri G. K. Patil has been thus provisionally fixed at Serial No. 8 (ile. between Shri V. B. Mamerikar and Shri K. V. Joglekar) of the list accompanying this G. R.

4. These orders may however kindly be reconsidered now, in vie of the Government (P. W. D.) letter No. 9697/36(2) E. dated the 26-6-52, finally fixing Shri Patil's initial pay at Rs. 740/- P. M. as on 4.10.1949. The pay of Shri L. W. Kale, an Officer of Bombay Service of Engineers...

Engineers Class I, (vide please serial No. 11 of the list

[illegible] Rs. 765/-.

Shri Patil would, therefore, correctly rank below Shri L. W. Kale, in accordance with the principle laid down in para 6 of the G. R. (P. W. D.)No. 2735/46-II dated the 20-5-1949.

5. Incidentially I may mention that Shri V. B. Mamerikar, myself and Shri G. K. Patil, have passed the B. E. (Civil) examination of the Bombay University in March 1930. Having secured higher rank in order of merit in this examination, Shri Mamerikar and myself were appointed to the then Bombay Service of Engineers, according to the gurrantee, given to the students, obtaining the degree of B. E. (Civil) from the University of Bombay. Probably because he did not suceeed in getting the gazetted post, under the Government of Bombay, Shri Patil joined the ex-Baroda State P. W. D. Thus had he been in service under the Bombay Government, from the beginning, he would have always ranked below me in the seniority. This position would also be restored, if Government is pleased to revise the orders of fixing the seniority of Shri Patil, on the basis of this initial pay now fixed.

6/- Government wasplessed to appoint me as an Officiating Supprintending Engineer, Bombay Circle, vide please Government notification No. LTS 1151 dated the 27th September 1951. I have held charge of this post from 1-10-51 to 21-2-52, but was reverted by virture of higher seniority given to Shri Patil in G. R. (P. W. D.)No. 2748/48 dated the 18-1-1952. As this provisional decision has adversely affected me, orders, fixing Shri Patil's seniority, correctly below Shri L. W. Kale, may kindly be issued as early as convenient.

Yours obdidently,
(Sd/- 17/7/52
(K. V. Jeglekar)
Executive Engineer, Ahmednagar Division.

Engineers Class I, (vide please serial No. 11 of the list referred to in para 3 above) on this date was Rs. 785/-. Shri Patil would, therefore, correctly rank below Shri L. W. Kale, in accordance with the principle laid down in para 6 of the G. R. (P. W. D.)No. 2735/46-II dated the 20-5-1949.

5. Incidentially I may mention that Shri V. B. Mamerikar, myself and Shri G. K. Patil, have passed the B. E. (Civil) examination of the Bombay University in March 1930. Having secured higher rank in order of merit in this examination, Shri Mamerikar and myself were appointed to the then Bombay Service of Engineers, according to the gurrantee, given to the students, obtaining the degree of B. E. (Civil) from the University of Bombay. Probably because he did not succeed in getting the gazetted post, under the Government of Bombay, Shri Patil joined the ex-Baroda State P. W. D. Thus had he been in service under the Bombay Government, from the beginning, he would have always ranked below me in the seniority. This position would also be restored, if Government is pleased to revise the orders of fixing the seniority of Shri Patil, on the basis of this initial pay now fixed.

6/- Government wasplessed to appoint me as an Officiating Superintending Engineer, Bombay Circle, vide please Government notification No. LTS 1151 dated the 27th September 1951. I have held charge of this post from 1-10-51 to 21-2-52, but was reverted by virture of higher seniority given to Shri Patil in G. R. (P. W. D.)No. 2748/48 dated the 18-1-1952. As this provisional decision has adversely affected me, orders, fixing Shri Patil's seniority, correctly below Shri L. W. Kale, may kindly be issued as early as convenient.

Yours obdidently,
(K. V. Jeglekar)
Executive Engineer, Ahmednagar Division.

Submitted with compliments through

the Superintending Engineer, D. I. C., Poona 1.

the Chief Engineer, P. W. D., Bombay.

the Secretary to Government of Bombay, P. W. D.

the Honourable Minister for P. W. D., Govt. of Bombay, Bombay.

Below application of Shri K. V. Joglekar, Executive Engineer, Ahmednagar Division addressed to the Honourable Chief Minister, Government, of Bombay, regarding Seniority in Bombay Service of Engineer, Class I.

No. 6596 of 1952.
Deccan Irrigation Circle,
Poona 1, 24 July 1952.

Passed on, with compliments, to the Chief Engineer, Public Works Department, Bombay, for favour of consideration.

Sd/-
Superintending Engineer, D. I. C.

Copy to the Executive Engineer, Ahmednagar Division, with reference to his No. 9658 of 17th July 1952.

Id/-
26-7-52.

2748/4869840
P. W. D.

Re.

This is a representation from Shri K. V. Joglekar, Ex. Engr., Ahmednagar Dn., for refixation of seniority of Shri G.K. Patil, Offg. S. E., N. G. C., in the cadre of Ex. Engrs in the B. & E., Class I, on the basis of the latter's initial pay as finally fixed in G. R. No. 9697/3662/M, dated the 26-6-52. It may be stated that Shri Patil in his letter No. G. 49/8962, dated the 28-7-52, has since intimated that he does not agree to his initial pay as fixed in the G. R. refd., to above and that he is submitting a representation in the matter. The receipt of, and the decision on, his representation may be awaited before his seniority finally fixed.

Id/-
7-8-52.

Id/-
13-8-52.

D. S.

C. E.

No: 9658
Ahmednagar Dt. 17th
July, 1952.

From

Shri K. V. Joglekar, B. E. A. M. I. E. (I)
Executive Engineer, Ahmednagar Division.

To:
The Honourable Chief Minister,
Government of Bombay.

Sub: Seniority in Bombay Service
Engineers Class I.

Respected Sir,

I would respectfully submit the following representation regarding fixation of my seniority 'vis-a-vis' Shri. G. K. Patil of the former Baroda State, P. W. D. now absorbed in the Bombay Service of Engineers, Class I, for favour of sympathetic consideration.

2. According to para 6 of G. R. (P. & S. D.)No. 2735/46-II dated the 20-5-1949, the seniority of the ex-State servants absorbed in Govt. service should be fixed on the basis of the initial pay (excluding personal pay) and State servant shall rank below the most Junior Government Servant drawing pay equal to or higher than the former's initial pay.

3. Pending final fixation of the initial pay of the ex-State servants absorbed in B. S. E. (I), Government was pleased to fix provisionally the seniority of certain state Officers, on the basis of initial pay worked out in the P. W. D. Secretariat, vide please G. R. (P. W. D.) No. 2748-48 dated the 18-1-1952. The seniority of Shri G. K. Patil has been thus provisionally fixed at serial No. 8) i. e. between Shri V. B. Mamerkar and Shri K. V. Joglekar 9) of the list accompanying this G. R.

4. These orders may however kindly be reconsidered now, in view of the Government (P. W. D.)letter No. 9697/36)-2) E. dated the 25-6-1952,, finally fixing Shri Patil's initial pay at Rs. 740/- P. M. as on 4-10-1949. The pay of Shri L. W. Kale, an officer of Bombay Services of Engineers Class I , (vide please serial No. 11

No. 11 of the list referred to in para 3 above) on this date was Rs. 785/- Shri. Patil would, therefore, correctly rank below Shri L. V. Kale, in accordance with the principle laid down in para 6 of the G. R. (P. W. D.) No. 2735/46-II dated the 20-5-1949.

5. Incidentally I may mention that Shri V. B. Mamerikar, myself and Shri G. K. Patil have passed the B. E. (Civil) examination of the Bombay University in March 1930. Having secured higher rank (in order of merit in this examination, Shri Mamerikar and myself were appointed to the then Bombay Service of Engineers, according to the guarantee, given to the students, obtaining the degree of B. E. (Civil) from the University of Bombay, Probable because he did not succeed in getting the gazetted post, under the Government of Bombay, Shri. Patil joined the ex-Baroda State P. W. D. Thus had he been in service under the Bombay Government, from the bigining, he would have always ranked below me in the seniority. This position would also be restreed, if Government is pleased to revise the orders of fixing the seniority of Shri Patil, on the basis of this initial pay now fixed.

6. Government was pleased to appoint me as an Officiating Superintending Engineers, Bombay Circle, vide please Government notification No. LTS 1151 dated the 27th September, 1952, ~~but~~ I have held charge of this post from 1-10-51 to 21-2-52, but was reverted by virtue of higher seniority given to Shri Patil in G. R. (P. W. D.) No. 2748/48 dated the 18-1-1952. As this provisoial decision has adversely affected me, orders, fixing Shri. Patil's seniority, correctly below Shri L. V. Kale, may ~~kk~~ kindly be issued as early as convenient.

Yours obediently.
(K. V. Joglekar.)
Executive Engineer,
Ahmednagar Division.

True Copy
11/- 3/12/52

Submitted with compliments through:-

the Superintending Engineer, D. I. C. Poona. 1
the Chief Engineer, P. W. D. Bombay
the Secretary to Government of Bombay, P. W. D.
the Honourable Minister for P. W. D. Govt. of Bombay,
Bombay.

No: 15919 of 1952.
Ahmednagar: 3 Dec. 1952.

From:
Shri K. V. Joglekar,
B. E. B. S. E. (I)
Executive Engineer,
Ahmednagar Division.

To:
The Secretary to Government of Bombay
P. W. D. Bombay

Subject: Seniority of Bombay Service of Engineers,
Class I.

Sir,

I would invite reference to the representation dated the 17-7-1952 regarding restoration of my seniority above Shri G. K. Patil, (Copy enclosed for ready reference) addressed to the Chief Minister and forwarded under 'Superintending Engineer, D. I. C. Poona's endorsement No. 6496 dated the 24th July, 1952. The case may kindly be decided very early, to set right the anomalous position that my junior viz. Shri G. K. Patil is Officiating as Superintending Engineer.

D. A. :- 1 copy

Yours faithfully,
Sd/-
(K. V. Joglekar,)
Executive Engineer,
Ahmednagar Division.

Submitted through:-

the Superintending Engineer, D. I. C. Poona.

the Chief Engineer, (Roads & Buildings)

the Chief Engineer (Irrigation.)

Advance copy along with the copy of the representation submitted to the Secretary to Govt. of Bombay, P. W. D.

E. Br. P. W. D.

For disposal please see serial No. 117509.

Issued
10-12-52.

E. Br. 2748/48/117503.
P. W. D.

The main file containing the original representation from Shri K. V. Joglekar, Ex. Engrs. Ahmednagar Dn. for reformation of the provisional seniority of the Ex. Engrs in the B. & E. Class I, ~~ins~~ is put with file No. 9697/36(2) 73561 reformation of pay of Shri G. K. Patil, offg. S. E. N. C. C. which is order submission to the D. S. The C. E. (R. & B), The C. E. ( ), the Secy. & M (P. W. D.), Since the 10-10-52 & it has not been received back. Pending return of the file, the S. E., D. I. C. may if approved be informed that the matter is under the consideration of Govt. and the final orders will be issued as early as possible. If so, the draft put up for approval may issue.

Id/-
10-12-52.

A. S. (I)

Id/-
12-12-52.

D. S.

Letter.

No. 2748/48-E.

P. W. D.
B. C. (Bombay No. 1)
15th Dec. 1952.

To,
The S. E., D. I. C.

Sub:- Seniority of officers in the B. & E. Class I.

Refce:- Your confdt. No. 11005, dated the 6-12-52.

2. The matter is under the consideration of Govt. and the final orders will be issued as early as possible.

By order of the Governor of B.
Asstt. Secy. to the Govt. of B.

D. A. Nil.

P. W. D.

Below application (No. 15919 dated 3-12-1952) from Shri K. V. Joglekar, Executive Engineer, Ahmednagar Division, Ahmednagar addressed to the Secretary to Government of Bombay, Public Works Department, Bombay 1, regarding seniority of B. S. E. Class I.

.....

Deccan Irrigation Circle.

No. W005 of 1952. Poona , 1: 6 December 1952.

Passed on, with compliments, to the Chief Engineer, Public Works Department, Bombay No. 1.

2. This has reference to this office endorsement No. 6496 dated the 24-7-1952.

Sd/-
Superintending Engineer, D. I. C.

Copy forwarded to the Executive Engineer, Ahmednagar Division, Ahmednagar, with reference to His No. quoted above.

2748/48/69840

E. Br. P. W. D.

Submitted with refers to the office note dated the 7.8.52.

2. Shri Patils representation as well as the representation within from Shri K. V. Joglekar, offg. S. E. E. C. have been considered on the linked file No. 9647/36(2)/13503 which is submitted herewith vide notes on pp. 55-62 of that file. It has been decided that Shri Joglekars request for reformation of Shri Patil's Seniority below Shri K. W. Kale, Ex. Engr. may be negatived. The secy. draft letter is accordingly put up for approval.

Id/-
5-3-53. Id/- 4/2/53

D. S.
Secys
M (P.W.D.)

E. Br. P. W. D.

Resubmitted with refes. to the office note overleaf.

2. As verbally directed by the Secy. a revised draft letter in lieu of the one on page 117 part is put up for approval.

Id/-
6-3-

Id/-
8-3-53.

Secy.
M (P. W. D.)

LETTER.

P. W. D.
B. C. (Bombay No.1),
10 March 1953.

No. 2748/48-E

To
Shri K. V. Joglekar, B. E., B. S. E.(I), Offl. S. E., ec.

Sub:- Refixation of seniority of Ex. Engrs. in the RSE (I).

Refee:- Your letter No. 9658, dated the 17-7-52.

2. Govt. has fully considered the reasons given by you in your letter refd. to above for refixation of seniority of Shri G. K. Patil, tempy. Ex. Engr., who is at present offl. as S. E. N. C. C., The proper interpretation of the works "most junior Govt. servant" occurring in rule 6 of the Rules for the fixation of pay and seniority of State servants contained in G.R. Govt., P. & S. D., No. 2735/46-II, dated the 20-5-49, is the most junior Govt. servant in the deliberate regular orders excluding cases of and ad hoc supersessions. In view of this your request for refixing the seniority of Shri Patil below Shri L. W. Kale, Ex. Engr., cannot be granted.

D. A. Nil.

By order etc.
Dy. Secy. etc.

Copy forwarded to the S. E., D. I. E. for information with refee. to the correspondence ending with Govt letter No. 2748/48-E, dated the 15-12-52.

Issued/—
6-3-53.

B.V. Nevas
16/7/56